

### REMARKS

Claims 16-35 are currently pending in the subject application. By the instant amendment, claims 22, 24-26, 31 and 33 are amended to more particularly claim the subject matter of the present invention. No new matter is added by the amendments to claims 22, 24-26, 31 and 33, as the amendments made thereto are of an editorial nature, to provide proper antecedent basis and to provide proper claim dependency.

Also by the instant amendment, the specification is amended to correct an error of a typographical nature.

Applicants appreciate the Examiner's indication of allowable subject matter in claims 20-25 and 31-35. Applicants also appreciate the Examiner's acknowledgement of applicants' election of claims 16-35 for prosecution in the subject application. Further, applicants appreciate the Examiner's acknowledgement of applicants' claim for foreign priority and receipt of a certified copy of the priority document.

Claims 16-35 are presented to the Examiner for further prosecution on the merits.

In view of the foregoing amendments and following remarks, reconsideration and withdrawal of the rejections of this application are respectfully requested, and favorable action upon all pending claims is hereby requested.

#### A. Introduction

In the outstanding Office Action mailed October 07, 2002, the Examiner rejected claims 22, 24-31, and 33 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Examiner rejected claims 16-19 and 26-30 under 35 U.S.C. § 103(a) as being

unpatentable over United States Patent No. 6,177,307 to Tu et al. ("the Tu et al. reference") in view of United States Patent No. 6,118,167 to DiSimone et al. ("the DiSimone et al. reference"), and United States Patent No. 6,391,803 to Kim et al. ("the Kim et al. reference"). The Examiner found claims 32, 34, and 35 to be allowable. The Examiner objected to claims 20, 21, and 23 for depending from a rejected base claim, and indicated that claims 20, 21, and 23 would be allowable if rewritten in independent form and to include all of the limitations of the base claim and any intervening claims. The Examiner objected to claims 22, 24, 25 and 31 as depending from a rejected base claim, and indicated that claims 22, 24, 25 and 31 would be allowable if rewritten in independent form and to include all of the limitations of the base claim and any intervening claims, and to overcome the rejections under 35 U.S.C. § 112, second paragraph. The Examiner indicated that claim 33 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph.

B. Asserted Rejections of Claims 22, 24-31, and 33 under U.S.C. § 112

In the outstanding Office Action, the Examiner rejected claims 22, 24-31, and 33 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 22, 24-26, 31, and 33 have been amended to more particularly point out and distinctly claim the subject matter of the present invention. Antecedent basis has been established where needed and proper claim dependence has been provided. Therefore, claims 22, 24-26, 31, and 33 are believed to be in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections of claims 22, 24-26, 31, and 33 are respectfully requested.

C. Asserted Rejection of Claims 16-19 and 26-30 Under 35 U.S.C. § 103(a)

In the outstanding Office Action, the Examiner rejected claims 16-19 and 26-30 under 35 U.S.C. § 103(a) as being unpatentable over the Tu et al. reference in view of the DiSimone et al. reference, and the Kim et al. reference.

However, these rejections are respectfully traversed, and it is respectfully submitted that the Kim et al. reference is not a proper prior art reference. The Kim et al. reference has a United States filing date of January 20, 2001, whereas the subject application has a foreign priority filing date of October 19, 2000. A certified English translation of the certified copy of the priority document, Korean Application No. 00-61548, filed October 19, 2000, has been prepared and is currently in transit to the undersigned attorney. Upon its receipt, the certified English translation will be submitted in order to perfect applicants' claim to the priority date.

Therefore, because the remaining prior art references do not teach or suggest each of the features of the present invention as claimed, claims 16-19 and 26-30 are believed to be in condition for allowance, and a notice to such effect is respectfully requested.

D. Allowable Subject Matter

Claims 20, 21 and 23

In the outstanding Office Action, the Examiner objected to claims 20, 21, and 23 as depending from a rejected base claim. However, as indicated above, the Kim et al. reference is not a proper prior art reference and the remaining prior art references do not teach or suggest each and every feature of the present invention as claimed in claim 16. Therefore, claim 16 is believed to be in condition for allowance. Because claims 20, 21, and 23 depend from claim 16,

either directly or indirectly, claims 20, 21 and 23 are believed to be similarly allowable as depending from an allowable base claim, and a notice to such effect is respectfully requested.

Claims 22, 24, 25 and 31

In the outstanding Office Action, the Examiner objected to claims 22, 24, 25 and 31 as depending from a rejected base claim, and indicated that claims 22, 24, 25 and 31 would be allowable if rewritten in independent form and to include all of the limitations of the base claim and any intervening claims, and to overcome the rejections under 35 U.S.C. § 112, second paragraph.

As previously indicated, claims 22, 24, 25 and 31 have been amended to overcome the rejections under 35 U.S.C. § 112, second paragraph. Further, claims 22, 24, 25 and 31 depend, either directly or indirectly, from claim 16, which is believed to be in condition for allowance. Accordingly, claims 22, 24, 25 and 31 are believed to be similarly allowable as depending from an allowable base claim, and a notice to such effect is respectfully requested.

Claim 33

In the outstanding Office Action, the Examiner indicated that claim 33 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph.

As previously indicated, claim 33 has been amended to overcome the rejection under 35 U.S.C. § 112, second paragraph. Accordingly, claim 33 is believed to be in condition for allowance, and a notice to such effect is respectfully requested.

E. Conclusion

Since the Kim et al. reference is not a proper prior art reference, and the remaining prior art references, alone or combined, do not anticipate or render obvious the present invention as


claimed, it is respectfully submitted that the claims of this application are in condition for allowance, and a notice to such effect is respectfully requested.

Finally, if the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is respectfully requested, and an early and favorable action upon all the claims is hereby requested.

Respectfully submitted,

Date: February 7, 2003

  
Eugene M. Lee, Reg. No. 32,039  
Richard A. Sterba, Reg. No. 43,162

LEE & STERBA, P.C.  
1101 WILSON BOULEVARD, SUITE 2000  
ARLINGTON, VA 22209  
703.525.0978 TEL  
703.525.4265 FAX

PETITION and  
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying papers may also be charged to Deposit Account No. 50-1645.